

JOURNAL OF THE FLORIDA SENATE

Tuesday, March 7, 1972

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

By Senators Karl and Daniel—

SB 1205—A bill to be entitled An act relating to the Volusia County School Board, providing for the establishment of a bi-weekly or monthly pay period for instructional personnel; repealing all conflicting laws; providing for severability; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1205.

—was read the first time by title and referred to the Committees on Public Schools and Rules, Calendar, Privileged Business and Ethics.

By Senators Pope, Brantley, Beaufort and Arnold—

SB 1206—A bill to be entitled An act relating to the Ponte Vedra Beach zoning district in St. Johns County; amending section 7 of chapter 65-2171, Laws of Florida, providing for appellate review of the actions of the Ponte Vedra board of adjustment; providing that the district court of appeal, first district, shall have jurisdiction of review of the board's action by certiorari; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1206.

—was read the first time by title and referred to the Committees on Judiciary—Civil A and Rules, Calendar, Privileged Business and Ethics.

By Senator Williams—

SB 1207—A bill to be entitled An act authorizing the state board of education to issue bonds in the amount of sixty-five million dollars (\$65,000,000) during the 1972-74 biennium in accordance with the provisions of §9, Article XII of the Constitution of the State of Florida; providing an effective date.

—was read the first time by title and referred to the Committees on Public Schools and Ways and Means.

By Senator Williams—

SB 1208—A bill to be entitled An act authorizing expenditures for fixed capital outlay projects at junior colleges, area vocational-technical centers, and institutions under the board of regents; providing an effective date.

—was read the first time by title and referred to the Committees on Universities and Community Colleges and Ways and Means.

The Senate was called to order by the President at 9:00 a.m. A quorum present—46:

Mr. President	de la Parte	Karl	Saunders
Arnold	Ducker	Knopke	Sayler
Barron	Fincher	Lane	Scarborough
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Gunter	McClain	Ware
Bishop	Haverfield	Myers	Weber
Boyd	Henderson	Ott	Weissenborn
Brantley	Hollahan	Plante	Williams
Broxson	Horne	Pope	Wilson
Childers	Johnson (29th)	Poston	
Daniel	Johnson (34th)	Reuter	

Excused: Senator Barrow from 9:30 a.m. until 10:30 a.m.

Prayer by Senator Henderson:

Almighty God, by whom each of us has been given responsibility and a voice in the government of our great State, we ask for a deep sensitivity to its people and their needs based upon your desire. Make us ever mindful to find the best in others; to earn the appreciation of honest critics and to make our work here forthright, honorable, and unimpaired so that we may receive thy blessings for our deliberations. Amen.

The Journal of March 6 was corrected and approved as follows:

Page 344, column 2, line 3, strike "355" and insert: 335

Page 346, counting from the bottom of column 1, line 15, before "SJR" insert: CS for

The Journal of March 1 was further corrected and approved as follows:

Page 308, counting from the bottom of column 1, line 14, after "amended" insert: was read the third time by title,

The Journal of February 23 was further corrected and approved as follows:

Page 257, counting from the bottom of column 1, line 16, before "providing" insert: providing definitions;

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Tuesday, March 7, 1972:

CS/SB 284	SB 343	CS/HB 2823
CS/SB 965	SB 239	SB 789
SB 650	CS/HB 316	SB 869
HB 2702	SB 319	HB 1038
SB 989	SB 294	

The Committee on Ways and Means recommends the following pass:

SB 544	SB 836	SB 977
SB 490 with 4 amendments	SB 918	SB 1079
SB 768 with 1 amendment	SB 919	HB 2092

The Committee on Public Schools recommends the following pass: HB 2729, SB 924

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following pass: SB 1009 with 4 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Ways and Means recommends a Committee Substitute as recommended by the Committee on Commerce for SB 771 (772, 774) with 2 amendments.

The bill with Committee Substitute attached was placed on the calendar.

The Committee on Public Schools recommends the following pass: HB 1577

The bill was referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Public Schools recommends the following pass: SJR 853

The Committee on Transportation recommends the following pass: SB 1003

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Transportation recommends the following not pass: HB 17

The bill was laid on the table.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred—

SB 335 with 1 amendment SB 719 with 1 amendment
SB 635 with 4 amendments SB 880 with 7 amendments

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

SB 241 CS for SB 244

—reports same have been enrolled, signed by the required Constitutional officers and presented to the Governor on March 7, 1972.

ELMER O. FRIDAY
Secretary of the Senate

MOTIONS RELATING TO COMMITTEE REFERENCES

On motion by Senator Karl, CS for HB 2861 and HB 3480 were withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

On motion by Senator Arnold, SB 334 was withdrawn from the Committee on Transportation by two-thirds vote and from further consideration of the Senate.

On motion by Senator Gunter, the rules were waived and HJR 2835 was permitted to remain on the pre-emptive calendar in lieu of SJR 229 which was in the Committee on Judiciary—Civil B.

On motions by Senator Poston, SB 496 was withdrawn from the Committees on Public Schools and Governmental Efficiency by two-thirds vote and from further consideration of the Senate.

On motion by Senator Poston, the Committee on Transportation was granted an additional 15 days for the consideration of—

SB 1015 SB 270 SB 382 SB 409 SB 589

On motion by Senator Bishop, the Committee on Agriculture was granted an additional 15 days for the consideration of Senate Bills 896 and 1103.

On motions by Senator Karl, House Bills 3478 and 3482 were withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

On motion by Senator Karl, the Committee on Commerce was granted an additional 15 days for the consideration of all bills now in the committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed SB 279.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bill, contained in the above message, was ordered enrolled.

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Horne and others—

SB 390—A bill to be entitled An act relating to highway secondary trust funds; amending §339.031, Florida Statutes, as amended by chapter 71-377, Laws of Florida, to comply with governmental reorganization, providing for the issuance of fuel tax anticipation certificates without bonds; providing for interest; providing for advances of highway secondary trust funds in the same manner as the first gas tax funds are advanced under §339.10, Florida Statutes; providing that funds shall not be expended contrary to the constitution or in any manner to lose federal aid funds; providing for the division of transportation planning of the department of transportation to report to the secretary of the department; providing for the secretary to approve and issue such fuel tax anticipation certificates for execution by the county; providing for the department to maintain a certain amount of noninvested funds; providing an effective date.

—which amendment reads as follows:

In the title, line 11, strike “providing for interest; providing for advances of highway secondary trust funds in the same manner as the first gas tax funds are advanced under §339.10, Florida Statutes;” and insert the following: providing for interest; providing for loans of highway secondary trust funds;

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Bishop, the Senate concurred in the House amendment to SB 390.

SB 390 passed as further amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Brantley	Johnson (34th)	Poston
Arnold	Broxson	Karl	Saunders
Barron	Childers	Knopke	Sayler
Barrow	Ducker	Lane	Scarborough
Beaufort	Gunter	Lewis (33rd)	Trask
Bell	Henderson	McClain	Ware
Bishop	Hollahan	Myers	Wilson
Boyd	Johnson (29th)	Plante	

Nays—None

By unanimous consent Senators Weissenborn, Graham, Reuter and Daniel were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Barron and others—

SB 1164—A bill to be entitled An act relating to reports to the Department of Revenue by motor fuel distributors; amending Section 206.43(1), Florida Statutes, relating to the method and deadline for reporting; providing that reports be filed by the twentieth day of the month succeeding the month for which the tax is due; providing that the date stamped on report envelopes by the United States Post Office be considered as date of receipt; amending Section 206.44, Florida Statutes, relating to the penalty for failure to report on time; providing that reports be filed by the twentieth day of the month succeeding the month for which the tax is due; providing an effective date.

—which amendment reads as follows:

On page 1, line 20, strike all of line 20 and insert the following:

Section 1. Subsection (1) of section 206.43, and section 206.44, Florida Statutes, are

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Barron, the Senate concurred in the House amendment to SB 1164.

SB 1164 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—32

Mr. President	Brantley	Hollahan	Plante
Arnold	Broxson	Johnson (34th)	Poston
Barron	Childers	Karl	Saunders
Barrow	de la Parte	Knopke	Sayler
Beaufort	Ducker	Lane	Scarborough
Bell	Gong	Lewis (33rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Henderson	Myers	Wilson

Nays—None

By unanimous consent Senators Weissenborn, Graham, Reuter and Daniel were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Barron and others—

SB 1165—A bill to be entitled An Act relating to the Department of Transportation; amending §334.21(8) (b) to include within the available cash balance reimbursements due from the Federal Government; providing an effective date.

Amendment 1

On page 1, line 19, after “investments” insert the following: of the department

Amendment 2

On page 1, line 25, after “construction” insert the following: contracts

Amendment 3

In the Title

On page 1, line 5, after “(b)” insert the following: , Florida Statutes,

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motions by Senator Barron, the Senate concurred in House amendments 1, 2 and 3 to SB 1165.

SB 1165 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was:

Yeas—31

Mr. President	Brantley	Johnson (29th)	Plante
Arnold	Childers	Johnson (34th)	Poston
Barron	de la Parte	Karl	Saunders
Barrow	Ducker	Lane	Scarborough
Beaufort	Gunter	Lewis (33rd)	Trask
Bell	Haverfield	Lewis (43rd)	Ware
Bishop	Henderson	McClain	Wilson
Boyd	Hollahan	Myers	

Nays—None

By unanimous consent Senators Weissenborn, Graham, Reuter, Daniel and Broxson were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Featherstone—

HB 1035—A bill to be entitled An act relating to qualification of physicians; relating to the appointment of examining committees which examine persons pursuant to adjudications of incompetency; amending section 744.31(5)(a), Florida Statutes, exempting physicians of the veterans' administration from the qualifications required of persons to be appointed to such examining committees; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1035, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Criminal Justice—

HB 3775—A bill to be entitled An act relating to security of communications; amending §934.02(6), Florida Statutes, including officers of the United States within the definition of investigative or law enforcement officer; amending §934.08(3), Florida Statutes, including courts of the United States among the courts in which evidence intercepted pursuant to chapter 934 may be given; providing an effective date.

By Representative Forbes—

HB 2701—A bill to be entitled An act relating to failure of defendant on bail to appear; amending §843.15(1), Florida Statutes, as amended by section 1048 of chapter 71-136, Laws of Florida; providing for the inclusion of municipal court; providing a penalty relating to municipal ordinances; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 3775 and 2701 contained in the above message, were read the first time by title and referred to the Committee on Judiciary—Criminal.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Gallen—

HB 3069—A bill to be entitled An act relating to investigative agencies; adding paragraph (h) to subsection (1) of §493.11, Florida Statutes, and amending subsection (2) of said section, to exempt state and national banks, credit unions and small loan companies, consumer credit reporting agencies, and collection agencies from the licensing requirements for investigative agencies; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3069, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representatives Firestone and Reed—

HB 2666—A bill to be entitled An act relating to mobile homes; prohibiting discrimination in renting, selling, or leasing of land because of race, color, or national origin; providing a penalty; providing an effective date.

By Representative Forbes—

HB 3492—A bill to be entitled An act relating to milk and milk products; amending section 502.041, Florida Statutes, by adding a new subsection (10) to said section; providing for legible maximum shelf-life dating of milk and milk products; providing preemption by the state of shelf-life termination date regulation of the sale of milk and milk products; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2666, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 3492, contained in the above message, was read the first time by title and referred to the Committee on Agriculture.

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Manpower & Development and Representative Shreve and others—

CS for HB 3136—A bill to be entitled An act relating to unemployment compensation; amending sections 443.04 (2) and

443.08 (3), Florida Statutes, by providing maximum and minimum benefit amounts; providing a method of computing positive and negative adjustment factors; providing an effective date.

By Representative Tucker and others—

HB 3129—A bill to be entitled An act to amend subsections (2) and (3) of Section 440.12, Florida Statutes, relating to workmen's compensation, by providing maximum and minimum weekly compensation amounts; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB 3136 and HB 3129, contained in the above message, were read the first time by title and referred to the Committee on Judiciary—Civil B.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Turlington—

HB 1678—A bill to be entitled An act relating to the Department of Community Affairs, Chapter 20.18, Florida Statutes; amending subsection 20.18(2)(d), Florida Statutes, to change the name of the division of technical assistance to the division of housing and community development; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1678, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has adopted as amended—

By Representative Powell—

HCR 3511—A concurrent resolution expressing regret over the passing of former Representative O. L. Burton.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HCR 3511, contained in the above message, was read the first time and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Firestone—

HB 2669—A bill to be entitled An act relating to retail installment sales; creating §520.351, Florida Statutes, to provide for the order in which payments shall be applied with respect to revolving charge accounts and certain consolidated debts secured by security interests; providing for the termination of security interests in individual items of property with respect to which a debt has been consolidated with other secured debts; providing an effective date.

By Representatives Brown and Harlee—

HB 1897—A bill to be entitled An act relating to the jurisdiction of juvenile courts where the violation would be punishable by death or life imprisonment if the defendant were an adult; adding a new subsection to section 39.02, Florida Statutes, to provide that after the juvenile court judge determines the child is charged with an offense which would be punishable by death or life imprisonment said court shall be without jurisdiction to make any adjudication with respect to said violation for thirty days and after the thirty days if the grand jury has not returned an indictment against the child the juvenile court shall have full jurisdiction; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2669, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 1897, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Jones—

HB 3591—A bill to be entitled An act relating to the bureau of historical museums; adding paragraph (d) to subsection 267.071(1), Florida Statutes, to provide for display of artifacts in the capitol upon approval by the governor and cabinet.

By Representatives Gallen and Tubbs—

HB 3122—A bill to be entitled An act relating to medical review committees; defining the term "medical review committee"; providing immunity from monetary liability for acts of members of duly appointed medical review committees, when performed within the scope of the functions of the committee; providing limitations to the immunity; providing an effective date.

By Representative D'Alemberte—

HB 3561—A bill to be entitled An act relating to corporations; amending Chapter 608, Florida Statutes, by adding new Section 608.151; authorizing corporations to effect share transfers, share distributions or reclassification; mergers, consolidations, or reorganizations by (1) issuance of fractions of a share, (2) arrangements for sale or purchase of fractional interests, (3) payment of cash for fractional shares or (4) issuance of scrip; and providing an effective date.

By Representative Hartnett—

HB 3194—A bill to be entitled An act relating to credit unions; amending §657.10(2), Florida Statutes; removing the restriction that appointed loan officers may approve loans only up to the unsecured limit, or in excess of such limit only if the

excess is fully secured by unpledged shares; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3591, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

HB 3122, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

HB 3561, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

HB 3194, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Honorable Jerry Thomas
President of the Senate

March 2, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Governmental Organization & Efficiency—

HB 3650—A bill to be entitled An act relating to governmental reorganization, electrical power plant siting and environmental permits; adding a new section to chapter 20, Florida Statutes; establishing the department of environmental affairs headed by a secretary appointed by the governor, subject to the approval of three members of the cabinet and confirmation by the senate; establishing divisions in the new department; providing for assistant secretaries within the department; creating a state lands and natural resources commission composed of the governor and cabinet officers; creating an environmental quality commission; transferring certain powers, duties and functions of the department of natural resources to the new department and the department of commerce; transferring the department of pollution control to the new department; transferring certain powers, duties and functions of the department of health and rehabilitative services, division of health, to the department; transferring the board of trustees of the internal improvement trust fund to the new department; amending sections 403.061(4), 373.174, and 373.231, Florida Statutes; preserving emergency powers of the department of health and rehabilitative services, repealing sections 20.25, 20.26, and 20.27, Florida Statutes; providing for coordination of transfers by the department of administration; providing that existing rules and regulations of affected agencies shall remain in force; providing that no existing legal proceedings will be abated; providing for amendment of conflicting nomenclature; creating sections 403.501 through 403.516, the Florida electrical power plant siting act; providing legislative intent; providing for definitions; providing for the powers and duties of the department of environmental affairs and the environmental quality commission; providing procedures for application for certification for power plants and transmission lines; providing for public hearings; providing for procedures for certification by the commission; providing for preemption of power plant site location by the state; providing procedures for certification by the commission; providing procedures for revocation of certification; providing for judicial review; providing for enforcement; creating the Florida environmental permit act; providing for further definitions, including definitions of permits; providing powers and duties of the department of environmental affairs; providing a procedure for application for permits; providing factors to be considered in granting of permits; providing for denial or issuance of permits; providing for publication of reports; providing exceptions; providing for enforcement; providing for relief; providing for judicial review over actions

of the department; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3650, contained in the above message, was read the first time by title and referred to the Committees on Natural Resources and Conservation and Governmental Efficiency.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Holloway—

HB 3611—A bill to be entitled An act relating to the state electrical code; amending subsections (1), (2), (5) and (8) of section 553.19, Florida Statutes, for the purpose of updating the code references contained therein; providing an effective date.

By Representative Harris—

HB 1290—A bill to be entitled An act relating to interest rates on judgments; amending §55.03, Florida Statutes, to provide that judgments and decrees rendered on a written contract or obligation shall bear interest at the rate specified in such contract whether higher or lower than six percent (6%); providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3611, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 1290, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil A.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Dixon and others—

HB 3340—A bill to be entitled An act amending Section 4 of Chapter 63-1447, Laws of Florida, relating to the budget and finance functions of the Jacksonville Port Authority, by limiting the minimum appropriation required to be made to the Authority by the Council of the City of Jacksonville to capital outlay purposes; providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

HB 3336—A bill to be entitled An act amending section 4 of chapter 18610, laws of Florida, special acts of 1937, entitled "An act providing for pensions for employees of the city of Jacksonville," as amended, so as to authorize the trustees of the pension fund thereby created to invest up to an additional fifty (50%) percent of the pension fund in corporation bonds having an A rating and obligations guaranteed as to principal and interest by the United States; providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

HB 3339—A bill to be entitled An act amending Section 3 of Chapter 18610, Laws of Florida, Acts of 1937, entitled "An Act providing for pensions for employees of the City of Jacksonville," as amended, so as to clarify and ratify the amount of of said City's contribution into said fund; Providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

HB 3338—A bill to be entitled An act providing for the merger of the assets and liabilities of the 1919 pension fund for employees of the city of Jacksonville created by chapter 8277, Laws of Florida, Special Acts of 1919, as amended, into the 1937 pension fund for employees of the City of Jacksonville created by chapter 18610, Laws of Florida, Special Acts of 1937, as amended, effective October 1, 1972; protecting the rights of pensioners and members of each fund and requiring an appropriation; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 3340, 3336, 3339 and 3338.

HB 3340, contained in the above message, was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

House Bills 3336, 3339 and 3338, contained in the above message, were read the first time by title and referred to the Committees on Personnel, Retirement and Claims and Rules, Calendar, Privileged Business and Ethics.

On motion by Senator Myers, HB 3122 was withdrawn from the Committee on Health, Welfare and Institutions by two-thirds vote and placed on the calendar.

On motion by Senator Myers, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up out of order—

HB 3122—A bill to be entitled An act relating to medical review committees; defining the term "medical review committee"; providing immunity from monetary liability for acts of members of duly appointed medical review committees, when performed within the scope of the functions of the committee; providing limitations to the immunity; providing an effective date.

On motions by Senator Myers, by two-thirds vote, HB 3122 was read the second time by title and, by two-thirds vote, was read the third time by title, passed and certified to the House. The vote was:

Yeas—38

Mr. President	Childers	Horne	Plante
Arnold	de la Parte	Johnson (34th)	Reuter
Barron	Ducker	Karl	Saunders
Barrow	Fincher	Knopke	Saylor
Beaufort	Gong	Lane	Scarborough
Bell	Graham	Lewis (33rd)	Trask
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Wilson
Brantley	Henderson	Myers	
Broxson	Hollahan	Ott	

Nays—None

By unanimous consent Senators Weissenborn and Daniel were recorded as voting yea.

On motion by Senator Myers, the House was requested to return SB 499.

On motion by Senator Lewis (43rd), SB 1044 was withdrawn from the Committee on Commerce by two-thirds vote and from further consideration of the Senate.

On motion by Senator Bishop, HB 3492 was withdrawn from the Committee on Agriculture by two-thirds vote and placed on the calendar.

On motion by Senator Bishop, Rule 4.14 requiring fifteen minutes' notice was waived and unanimous consent was obtained to take up out of order—

HB 3492—A bill to be entitled An act relating to milk and milk products; amending section 502.041, Florida Statutes, by adding a new subsection (10) to said section; providing for legible maximum shelf-life dating of milk and milk products; providing preemption by the state of shelf-life termination date regulation of the sale of milk and milk products; providing an effective date.

On motions by Senator Bishop, by two-thirds vote, HB 3492 was read the second time by title and, by two-thirds vote, was read the third time by title, passed and certified to the House. The vote was:

Yeas—39

Mr. President	Daniel	Horne	Poston
Arnold	de la Parte	Johnson (34th)	Reuter
Barron	Ducker	Karl	Saunders
Barrow	Fincher	Knopke	Sayler
Beaufort	Gong	Lane	Scarborough
Bishop	Graham	Lewis (43rd)	Trask
Boyd	Gunter	McClain	Ware
Brantley	Haverfield	Myers	Weissenborn
Broxson	Henderson	Ott	Wilson
Childers	Hollahan	Plante	

Nays—None

On motion by Senator Bishop, the rules were waived and the Senate immediately reconsidered the vote by which SB 719 passed on March 6.

On motion by Senator Bishop, SB 719 was indefinitely postponed.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Jones and others—

HB 3436—A bill to be entitled An act relating to the City of Lake Wales, Polk County, Florida; giving the City the authority to annex by petition areas contiguous to the municipality upon petition of the qualified electors in the area; providing for the manner in which territory is to be annexed, form of the petition, filing certificates, resolutions, and rights of the residents in the territory to be annexed; providing that the invalidity of any portion of this act shall not affect the remaining portions hereof; repealing all laws and parts of laws in conflict; providing an effective date.

Proof of Publication attached.

By Representative Alvarez and others—

HB 3337—A bill to be entitled An act conferring the right to continue membership in the Florida Retirement System upon Robert E. Ward; requiring the City of Jacksonville to do those things necessary to effectuate the purposes of this act; providing an effective date.

Proof of Publication attached.

By Representatives Randell and Walker—

HB 3470—A bill to be entitled An act amending Chapter 59-1492, Laws of Florida, pertaining to the Lee County Law

Library. Providing for a service charge for civil actions filed in the Lee County Circuit Court and providing for same to be paid into the Lee County Law Library Fund; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 3436, 3337 and 3470.

HB 3436, contained in the above message, was read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

HB 3337, contained in the above message, was read the first time by title and referred to the Committee on Personnel, Retirement and Claims.

HB 3470, contained in the above message, was read the first time by title and referred to the Committees on Judiciary—Civil A and Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Forbes—

HB 2700—A bill to be entitled An act relating to bail; adding subsection (3) to §903.02, Florida Statutes, as amended by chapter 70-86, Laws of Florida; providing for the definition of offense to include violations of municipal ordinances; providing an effective date.

By the Committee on Judiciary and Representatives Crane and Johnson—

HB 3279—A bill to be entitled An act relating to public business; prohibiting the state, its agencies and political subdivisions or any official thereof from requiring a person or firm to submit for inspection or audit its federal or state income tax returns as a prior condition to contracting with same for the construction of any public work or to supply any materials, labor, or services to the agency; declaring violations to be a misdemeanor of the second degree and setting a minimum fine; providing an effective date.

By the Committee on Criminal Justice—

HB 3304—A bill to be entitled An act relating to criminal penalties; amending §776.04, Florida Statutes, as amended by chapter 71-136, Laws of Florida, reducing the penalty for an attempt to commit a misdemeanor; amending §833.05, Florida Statutes, as amended by chapter 71-136, Laws of Florida, reducing the penalty for conspiracy to commit a misdemeanor; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2700, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

HB 3279, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

HB 3304, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Criminal.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Gorman and Fulford—

HB 3293—A bill to be entitled An act relating to compensation of county officials; amending section 145.131, Florida Statutes, by adding new subsection (3) relating to payment of insurance; to provide that payment of insurance for county officials and employees in section 112.08, Florida Statutes, shall not be considered additional compensation; providing an effective date.

By Representative Stevens—

HB 3364—A bill to be entitled An act relating to wrecked cotton, lumber adrift, and vessels adrift; repealing sections 706.01, 706.02, 706.03, 706.04, 706.05, 706.06, 706.07, 706.08, 706.09, 706.10, 706.11, 706.12, 706.13, 706.14, 706.15, 706.16, 706.17, 706.18, 706.19, and 706.20, Florida Statutes, which pertain to such matters; providing an effective date.

By the Committee on Agriculture & Citrus and Representative Rish—

HB 3746—A bill to be entitled An act relating to soil and water conservation; amending section 582.18 (1), Florida Statutes, to authorize the department of agriculture and consumer services to determine election place for electing district supervisors; providing effective date.

By the Committee on Agriculture & Citrus and Representative Hollingsworth—

HB 3747—A bill to be entitled An act relating to poultry; amending chapter 71-143, Laws of Florida, by adding a section providing exemptions; providing effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 3293, contained in the above message, was read the first time by title and referred to the Committee on Governmental Efficiency.

HB 3364, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

House Bills 3746 and 3747, contained in the above message, were read the first time by title and referred to the Committee on Agriculture.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Featherstone and Winn—

HB 2930—A bill to be entitled An act relating to public lodging and food service establishments; amending §§509.092, 509.141(1) and 509.142, Florida Statutes, as amended by chapter 70-291, Laws of Florida, relating to the rights of such establishments as private enterprises, the refusal of admission and ejection of undesirable guests, and the conduct of guests on the

premises of such establishments, to prohibit discrimination based on sex; providing an effective date.

By the Committee on Health & Rehabilitative Services—

HB 3107—A bill to be entitled An act relating to public assistance; amending §409.335, Florida Statutes, as amended by chapter 70-255, Laws of Florida, relating to the recovery of payments made due to mistake or fraud; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2930, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

HB 3107, contained in the above message, was read the first time by title and referred to the Committee on Health, Welfare and Institutions.

The Honorable Jerry Thomas
President of the Senate

March 3, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Dixon and others—

HB 3344—A bill to be entitled An act amending the law of the Jacksonville Electric Authority, Chapter 67-1569, Laws of Florida, as amended, to eliminate the requirement that the Authority utilize the Central Services Department and certain bidding procedures of the City of Jacksonville in the procurement of fuel; providing certain fuel purchase procedures; providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 3637—A bill to be entitled An act relating to Sarasota County transferring unto the Board of County Commissioners of Sarasota County all local governmental powers and authority in connection with animal control including but not limited to the creation and operation of a county pound, the appointment of impounding officers, the treatment, control and inoculation of animals exposed to rabies, the disposition of unclaimed or stray animals, the vaccination and licensing of dogs, the prohibiting of the presence of animals on certain public property; the prescribing of reasonable fees and the collection thereof; authorizing and empowering the Board of County Commissioners of Sarasota County to adopt ordinances relating to animal control; providing that such ordinances shall be uniformly applicable throughout Sarasota County, including those areas of the County lying within municipal boundaries; authorizing the implementation and enforcement of an animal control program; providing that the provision of any municipal charter or ordinance in conflict herewith is superseded, rescinded and repealed; providing that a violation of this act or of a county ordinance adopted pursuant to this act is a misdemeanor punishable as provided by general law; providing for construction of this act; providing an effective date and providing that municipal charter provisions and ordinances affected by this act shall remain in effect until this act is implemented by adoption of a county ordinance.

Proof of Publication attached.

By Representative Sims and others—

HB 3387—A bill to be entitled An act relating to Orange County, Florida; amending Chapter 71-803, Laws of Florida, relating to the Orange County Civic Facility Authority; amending section 2 (3) and (5) to provide additional time for initial nominations and selections of members of the authority and for organization of the authority and its members; amending

section 3(5) relating to the definition of facilities to include towers; amending section 5(5)(b) to change the year during which one of the potential tax sources of revenue may be enacted; providing for the repeal of inconsistent or conflicting laws; providing a serviceability clause; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 3344, 3637 and 3387.

House Bills 3344, 3637 and 3387, contained in the above message, were read the first time by title and referred to the Committees on Governmental Efficiency and Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Judiciary—

HB 4249—A bill to be entitled An act relating to the Florida Uniform traffic control law; providing for the payment of fines and forfeitures received by any county court for violations of chapter 316, Florida Statutes, or from ordinances adopting matter covered by chapter 316, Florida Statutes, committed within a municipality; providing legislative intent; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

March 6, 1972

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Judiciary—

HB 4250—A bill to be entitled An act relating to court costs; providing for the distribution of court costs assessed in county court; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

House Bills 4249 and 4250, contained in the above messages, were read the first time by title and referred to the Committee on Judiciary—Civil A.

RESOLUTIONS

SR 794—A resolution recognizing the Ancient Arabic Order of Nobles of the Mystic Shrine for their altruistic efforts in behalf of crippled children and children suffering from severe burns.

WHEREAS, this is the 100th anniversary of the Shrine and one American Mason out of five belongs to a Shrine Temple,

total Shrine membership in North America being 890,000 and in the State of Florida, 30,000; and

WHEREAS, this is the 50th anniversary of the establishment of Shrine hospitals to care for crippled children under fourteen years of age whose parents were unable to pay for proper medical care, the children being accepted without regard to race or creed, and an assessment to finance the project being made of each Shriner; and

WHEREAS, today the Shrine supports 19 orthopedic hospitals and 3 burns institutes which were established in the late 1960's, all in North America. In addition to member assessment, funds are realized for this purpose from Shrine circuses, the East-West Shrine football game and from gifts and bequests. The hospitals are run at a cost of about \$21,000,000 a year with no other means of support than Shrine funding; and

WHEREAS, Shriners Hospitals for Crippled Children have discharged 180,024 patients from the 19 orthopedic Units from their opening to December 31, 1970. In the first six months of 1971 a total of 3,965 were discharged. There has been a total of \$161,703,120 spent in direct operating expenses from 1922 to 1971. The average cost per patient in 1970 was \$1,888.39 and the average cost per patient in the burns institutes was \$20,000; and

WHEREAS, many young citizens of the State of Florida have been restored to health and full participation in daily activities through the unselfish, philanthropic efforts of the A.A.O.N.M.S., NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the membership of the Florida Senate, in Session Assembled, hereby commends and pays tribute to the local Orders for the inestimable good works effected for the benefit of Florida's young people of all colors and creeds, as well as the participation in such efforts at national and international levels.

BE IT FURTHER RESOLVED that a copy of this resolution, duly attested under the Seal of the Florida Senate, be presented to the Illustrious Potentates of the six Regional Florida Shrine Temples, Illustrious Potentate of the Araba Shrine Temple, Rex H. Jackson; Illustrious Potentate of the Bahia Shrine Temple, Robert A. Voegele; Illustrious Potentate of the Egypt Shrine Temple, Arthur P. Wischmann; Illustrious Potentate of the Hadji Shrine Temple, W. A. Hibbert; Illustrious Potentate of the Mahai Shrine Temple, James W. Scrofani; Illustrious Potentate of the Morocco Shrine Temple, John Jelinek.

—was read the second time in full. On motion by Senator Gunter, SR 794 was unanimously adopted.

UNFINISHED BUSINESS

SB 698—A bill to be entitled An act relating to the leasing of pari-mutuel facilities; amending Section 550.47, Florida Statutes, as created by chapter 71-180, Laws of Florida; providing for dog racing lessees to operate at leased premises; providing an effective date.

—was taken up together with pending amendment which failed.

Senator Brantley moved the adoption of the following amendment:

Amendment 4—On page 2, line 3 strike all of section 2 and insert:

Section 2. Chapter 551, Florida Statutes, is amended by adding a new section to read:

551.17 Lease of jai alai facilities. Holders of valid pari-mutuel permits for the conduct of jai alai in this state shall be entitled to lease any and all of their facilities to any other holder of a valid pari-mutuel permit for jai alai, when said permit holders' fronton locations are within thirty-five (35) miles radius of each other and within the same county; and such lessee shall be entitled to a permit and license to operate its jai alai meet at said leased premises.

Section 3. This act shall take effect upon becoming a law.

Senator Bell raised a point of order that the amendment was out of order for the reason that it was offered to Section 551.17, lease of jai alai facilities, while the statute embraced in the bill under consideration was Section 550.47, lease of pari-mutuel facilities.

The President ruled the point well taken.

On motion by Senator Lane, by two-thirds vote SB 698 as further amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—36

Mr. President	de la Parte	Johnson (34th)	Plante
Arnold	Ducker	Karl	Poston
Barron	Fincher	Knopke	Scarborough
Beaufort	Gong	Lane	Stolzenburg
Bell	Graham	Lewis (33rd)	Trask
Bishop	Gunter	Lewis (43rd)	Ware
Boyd	Haverfield	McClain	Weber
Brantley	Henderson	Myers	Williams
Daniel	Johnson (29th)	Ott	Wilson

Nays—5

Broxson	Hollahan	Horne	Sayler
Childers			

By unanimous consent Senator Gunter changed his vote from yea to nay.

Senator Brantley moved that the Senate reconsider the vote by which SB 698 passed as amended this day.

RECONSIDERATION

The motion by Senator Scarborough on March 6 that the Senate reconsider the vote by which—

SB 635—A bill to be entitled An act relating to employment of officers in business licensed by the division of beverages; amending Section 561.25, Florida Statutes; providing an effective date.

—passed as amended on March 6, was taken up and adopted; and the Senate reconsidered. The vote was:

Yeas—25

Mr. President	Haverfield	Plante	Ware
Broxson	Hollahan	Pope	Weissenborn
Childers	Johnson (29th)	Poston	Williams
de la Parte	Karl	Saunders	Wilson
Ducker	Knopke	Sayler	
Gong	Lewis (33rd)	Stolzenburg	
Graham	Ott	Trask	

Nays—14

Arnold	Bishop	Johnson (34th)	Myers
Barron	Brantley	Lane	Scarborough
Beaufort	Fincher	Lewis (43rd)	
Bell	Henderson	McClain	

By unanimous consent Senator Daniel was recorded as voting yea.

Senator de la Parte moved that the Senate reconsider the vote by which SB 635 was placed on third reading. The motion failed by the following vote:

Yeas—18

Barron	Haverfield	Lewis (33rd)	Pope
Bishop	Hollahan	Lewis (43rd)	Williams
de la Parte	Karl	McClain	Wilson
Fincher	Knopke	Myers	
Graham	Lane	Plante	

Nays—22

Mr. President	Broxson	Johnson (34th)	Stolzenburg
Arnold	Childers	Ott	Trask
Barrow	Ducker	Poston	Ware
Beaufort	Gong	Saunders	Weber
Bell	Henderson	Sayler	
Brantley	Johnson (29th)	Scarborough	

Senators de la Parte and Pope offered the following amendment which was moved by Senator de la Parte:

Amendment 6—On page 2, line 11, after “beverages” insert: provided however that in excess of 50% of said business establishment's gross income is from a service other than of the sale of alcoholic beverages

Senator Brantley moved the adoption of the following amendment to the amendment which failed:

Amendment 6a—Strike “alcoholic beverages” and insert: mixed alcoholic drinks

Senator Wilson moved the adoption of the following substitute amendment:

Amendment 7—On page 2, line 11, after “beverage” insert: provided, however, that in excess of fifty per cent (50%) of said business establishment's gross income is from a source other than of the sale of alcoholic beverages for consumption on the premises

Senator Brantley moved that the rules be waived and the Senate reconsider the vote by which SB 635 was placed on third reading. The motion failed by the following vote:

Yeas—22

Arnold	de la Parte	Horne	Pope
Barron	Fincher	Knopke	Scarborough
Beaufort	Graham	Lane	Stolzenburg
Bishop	Gunter	Lewis (43rd)	Wilson
Brantley	Haverfield	McClain	
Daniel	Hollahan	Myers	

Nays—17

Mr. President	Ducker	Lewis (33rd)	Trask
Bell	Gong	Ott	Ware
Boyd	Henderson	Plante	
Broxson	Johnson (29th)	Poston	
Childers	Johnson (34th)	Reuter	

On motion by Senator Ware the following amendment to the substitute amendment was adopted by two-thirds vote:

Amendment 7a—On page 2, line 10 strike period and insert: , with the written approval of the chief of police, sheriff or other appropriate department head, for the place and hours of such service.

The substitute amendment as amended was adopted by a two-thirds vote.

SB 635 as further amended passed and was ordered engrossed. The vote was:

Yeas—23

Arnold	de la Parte	Johnson (34th)	Pope
Barron	Ducker	Knopke	Scarborough
Beaufort	Fincher	Lane	Ware
Bell	Henderson	Lewis (43rd)	Weber
Brantley	Hollahan	McClain	Wilson
Deeb	Horne	Myers	

Nays—18

Mr. President	Gong	Plante	Stolzenburg
Boyd	Graham	Poston	Trask
Broxson	Johnson (29th)	Reuter	Williams
Childers	Lewis (33rd)	Saunders	
Daniel	Ott	Sayler	

By unanimous consent, Senators Barrow, Weissenborn and Haverfield were recorded as voting yea; Senators Gunter and

Karl were recorded as voting nay, and Senator Myers changed his vote from yea to nay.

The President appointed Senators Beaufort, Childers, Barrow, Brantley, Henderson and Graham as a committee to escort the Honorable George Wallace, Governor of Alabama and a candidate for the Democratic nomination for President of the United States, to the rostrum where he addressed the Senate.

SPECIAL ORDER

On motion by Senator Hollahan, consideration of SB 284 was deferred and by two-thirds vote retained on the calendar as special and continuing order for March 8.

On motion by Senator Boyd, the House was requested to return HB 3220. The vote was:

Yeas—30

Mr. President	Daniel	Johnson (29th)	Saunders
Arnold	Deeb	Johnson (34th)	Scarborough
Beaufort	de la Parte	Karl	Stolzenburg
Bell	Ducker	Knopke	Ware
Bishop	Gunter	Lane	Weissenborn
Boyd	Henderson	Lewis (33rd)	Wilson
Brantley	Hollahan	Lewis (43rd)	
Childers	Horne	Myers	

Nays—1

Plante

By unanimous consent Senator Poston was recorded as voting yea.

By unanimous consent Senator Childers was recorded as voting yea on HB 2254 which passed March 6.

On motion by Senator Lane, the rules were waived and the Senate immediately reconsidered the vote by which—

SB 698—A bill to be entitled An act relating to the leasing of pari-mutuel facilities; amending Section 550.47, Florida Statutes, as created by chapter 71-180, Laws of Florida; providing for dog racing lessees to operate at leased premises; providing an effective date.

—as amended passed this day.

SB 698 as amended was read by title, passed and ordered engrossed. The vote was:

Yeas—30

Mr. President	Ducker	Knopke	Poston
Arnold	Graham	Lane	Reuter
Beaufort	Gunter	Lewis (33rd)	Scarborough
Bell	Haverfield	Lewis (43rd)	Stolzenburg
Bishop	Henderson	McClain	Ware
Daniel	Johnson (29th)	Ott	Wilson
Deeb	Johnson (34th)	Plante	
de la Parte	Karl	Pope	

Nays—6

Brantley	Childers	Horne	Sayler
Broxson	Hollahan		

By unanimous consent Senators Weissenborn and Myers were recorded as voting yea, and Senator Gunter changed his vote from yea to nay.

On motion by Senator Lane SB 698 was ordered immediately certified to the House, by waiver of the rule, after engrossing.

SB 965 was taken up, together with:

By the Committee on Governmental Efficiency—

CS for SB 965—A bill to be entitled An act relating to the passenger air carriers of Florida; providing for regulation by

the state; assigning authority to the department of transportation, division of mass transit operations; providing certification procedures and fees therefor; providing exemptions; prohibiting certain acts; providing hearings, revocation and suspension procedures; and providing an effective date.

—which was read the first time by title and SB 965 was laid on the table.

On motions by Senator Daniel, by two-thirds vote CS for SB 965 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Daniel	Karl	Stolzenburg
Arnold	Deeb	Knopke	Trask
Barron	Ducker	Lane	Ware
Beaufort	Gong	Lewis (43rd)	Weber
Bell	Graham	McClain	Weissenborn
Bishop	Gunter	Pope	Williams
Boyd	Haverfield	Poston	Wilson
Brantley	Hollahan	Reuter	
Broxson	Horne	Sayler	
Childers	Johnson (29th)	Scarborough	

Nays—None

By unanimous consent Senator Lewis (33rd) was recorded as voting yea.

SB 650 was taken up, together with:

By the Committee on Rules, Calendar, Privileged Business and Ethics—

CS for SB 650—A bill to be entitled An act relating to harness racing; adding subsection (3) to section 550.262, Florida Statutes of 1971, to provide that an additional two percent may be withheld from the distribution of pari-mutuel pools by harness racing licensees, and providing that the additional amounts withheld will be used for purses and prizes; providing an effective date.

—which was read the first time by title and SB 650 was laid on the table.

On motions by Senator Lane, by two-thirds vote CS for SB 650 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Brantley	Hollahan	Poston
Arnold	Broxson	Horne	Reuter
Barron	Childers	Johnson (29th)	Scarborough
Barrow	Daniel	Karl	Trask
Beaufort	Ducker	Knopke	Ware
Bell	Gong	Lane	Weber
Bishop	Graham	Lewis (43rd)	Weissenborn
Boyd	Haverfield	McClain	Williams

Nays—1

Sayler

By unanimous consent Senators Lewis 33rd), Stolzenburg and Gunter were recorded as voting yea.

HB 2702—A bill to be entitled An act relating to grand juries; amending section 905.01(1), Florida Statutes, as amended by chapter 70-339, Laws of Florida, to provide that an elected public official shall not be eligible for service on a grand jury; providing an effective date.

—was read the second time by title.

On motion by Senator Wilson the following amendment was adopted:

Amendment 1—On page 1, lines 26 and 27 strike "upon becoming a law" and insert: October 1, 1972

On motion by Senator Wilson, by two-thirds vote HB 2702 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Broxson	Karl	Scarborough
Arnold	Childers	Knopke	Stolzenburg
Barron	Daniel	Lane	Trask
Barrow	Gong	Lewis (43rd)	Ware
Beaufort	Graham	McClain	Weber
Bell	Gunter	Poston	Weissenborn
Bishop	Haverfield	Reuter	Williams
Boyd	Hollahan	Saunders	
Brantley	Horne	Sayler	

Nays—None

By unanimous consent Senators Lewis (33rd), Wilson, Ducker and Johnson (29th) were recorded as voting yea.

SB 989—A bill to be entitled An act establishing educational and training requirements for dental hygienists which meet the standards accredited by the council on dental education of the American dental association by amending section 466.08(10), Florida Statutes, as amended by House Bill 1451 enacted during the 1972 regular session of the legislature; providing an effective date.

—was read the second time by title. On motion by Senator Daniel, by two-thirds vote SB 989 was read the third time by title, passed and immediately certified to the House by waiver of the rule. The vote was:

Yeas—36

Mr. President	Broxson	Karl	Saunders
Arnold	Childers	Knopke	Sayler
Barron	Daniel	Lane	Scarborough
Barrow	Ducker	Lewis (43rd)	Stolzenburg
Beaufort	Gong	McClain	Trask
Bell	Graham	Ott	Ware
Bishop	Haverfield	Pope	Weissenborn
Boyd	Hollahan	Poston	Williams
Brantley	Horne	Reuter	Wilson

Nays—None

By unanimous consent Senators Gunter, Johnson (29th) and Lewis (33rd) were recorded as voting yea.

SB 343 was taken up, together with:

By the Committee on Judiciary—Criminal—

CS for SB 343—A bill to be entitled An act relating to a salary incentive program for local law enforcement officers; amending part IV of chapter 23, Florida Statutes, by creating a new section to provide for such programs; providing for the establishment of the program and authority for financing of the program; providing restrictions for participation to law enforcement officers earning at least six thousand dollars; providing requirements for eligibility and participation; providing for certain educational training or statutory criteria to be met to qualify for participation; providing that the maximum

amount to be received under this act shall not exceed one hundred thirty dollars per month; providing that the police standards council shall establish rules and regulations including rules governing disbursement of all funds distributed hereunder; providing restrictions on local units to prevent circumventing any local unit's present or currently planned normal pay increases; providing for reports by local units; providing a no strike provision; providing for appropriations; repealing part V of chapter 163, Florida Statutes, consisting of §§163.550, 163.551, 163.552, 163.553, 163.554, 163.555, 163.556, 163.557, 163.558, 163.559, 163.560 and 163.561; providing an effective date.

—which was read the first time by title and SB 343 was laid on the table.

On motions by Senator Broxson, by two-thirds vote CS for SB 343 was read the second time by title and by two-thirds vote was read the third time by title.

On motion by Senator Broxson, further consideration of CS for SB 343 was deferred.

SB 239—A bill to be entitled An act relating to education; amending section 236.04, Florida Statutes; providing 233 instruction units for elementary school counselors; providing a minimum of one unit per district; providing that remaining units be allocated according to elementary school average daily attendance for the prior year with fraction units allowed; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Graham moved the adoption of the following amendment:

Amendment 1—On page 2, strike Section 4, lines 17 and 18, and insert: Section 4. This act shall take effect upon becoming law.

Co-Introducer

By permission Senator Beaufort was recorded as a co-introducer of SB 239.

On motion by Senator Hollahan, the rules were waived and the Committee on Rules, Calendar, Privileged Business and Ethics was granted permission to meet immediately upon the noon adjournment March 8 to consider matters agendaed this day and House bills before the committee.

CO-INTRODUCERS

By permission, Senator Gunter was recorded as a co-introducer of SB 856; Senator Beaufort as a co-introducer of SB 794.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 12:00 noon to convene at 8:30 a.m. for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., March 8, 1972.